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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/600,569	10/600,569 06/23/2003		Hirofumi Okano	2193-103	9621	
23117	7590	12/02/2005		EXAMINER		
		RHYE, PC	PHAN, THIEM D			
901 NORT		ROAD, 11TH FLOC 22203	·K	ART UNIT	PAPER NUMBER	
	 -,			3729	3729	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)
	10/600,569	OKANO ET AL.
Office Action Summary	Examiner	Art Unit
	Tim Phan	3729
The MAILING DATE of this communication app Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w. - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filled on 12 Oct 2a) This action is FINAL. 2b) This Since this application is in condition for alloware	IS SET TO EXPIRE 3 MONTH() ATE OF THIS COMMUNICATION (6(a). In no event, however, may a reply be time till apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI date of this communication, even if timely filed (ctober 2005).	S) OR THIRTY (30) DAYS, I. ely filed the mailing date of this communication. D (35 U.S.C. § 133). , may reduce any
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.
Disposition of Claims 4) ○ Claim(s) 5-8 is/are pending in the application. 4a) Of the above claim(s) is/are withdray 5) □ Claim(s) is/are allowed. 6) ○ Claim(s) 5-8 is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or		
Application Papers		
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine	epted or b) objected to by the liderawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priori	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Do 5) Notice of Informal F 6) Other:	

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DETAILED ACTION

1. The amendment filed on 10/12/05 has been fully considered and made of record.

2. The rejection of claims 5-8 which were rejected in Office Action mailed on 7/13/05 under 35 USC 103; these claims are rejected under 35 USC 103 herein for substantially the same reasons as provided in the previous Office Action which is incorporated herein and made a part hereof.

Response to Arguments

3. Applicants' arguments filed 10/12/05 have been fully considered but they are not persuasive for the following reasons:

In response to applicants' argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicants' disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

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In the instant case, Nakagawa teaches a bulb Reed switch (Fig. 1, REED Switch) to be completely sealed from outside atmosphere (Col. 2, lines 65-67) in a cylinder (Fig. 1, 7) tightly fit with a cap (Fig. 1, 26), while protruding the lead lines (Fig. 1, 22 & 22') for electrical contacts, except for having the REED switch molded in a sealed cylinder as claimed, where the limitation of sealed-molding a device is obvious and well known in the art. Droscher et al teach the molding process to any electrical or electronic devices (Col. 4, lines 42 & 43) with the ranges claimed by applicants. It is obvious to one of ordinary skill in the art to apply the molding process taught by Droscher et al to tightly seal the REED switch in a water- or fluid-proof environment, as taught by Nakagawa, in order speed up the manufacturing of sealed REED switch, while cutting costs of different inventory parts such as cylinder and cap.

4. With the remainder of the claims 6-8 rejected under 35 USC 103, they stand rejected under 35 USC 103 as indicated in the previous Office Action and in response to Remarks in paragraph 3 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

THIS ACTION IS MADE FINAL. Applicants are reminded of the extension of time

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policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 571-272-4568. The examiner can normally be reached on M - F, 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tim Phan Examiner Art Unit 3729

tp November 29, 2005 A. DEXTER TUGBANG
PRIMARY EXAMINER